

COTTAGE FOOD LAW REPORT

Comal County

Texas · New Braunfels · FIPS 48091 · Population 165,201 ·
Crosodo Index #528*

STATE BASELINE

Tex. Health & Safety §437.001 et seq.

STATE TIER

Great

ANNUAL SALES CAP (STATE)

150000

CONFIDENCE

MEDIUM

LAST VERIFIED

2026-05-05

IMPORTANT — NOT LEGAL ADVICE

This report compiles publicly-available statutes, regulations, and county zoning rules into a research reference. It is **not legal advice** and is provided **without warranty** as to accuracy, completeness, or current applicability.

Cottage food law changes frequently. Counties may amend zoning, health departments may issue new permits, and state legislatures may update statutes after the publication date shown above.

Always verify rules directly with your state department of health/agriculture and your county health and planning offices before relying on them for any business or regulatory decision. Consult a licensed attorney for advice specific to your situation.

How to start — 60-second path

Comal County, Texas — permit, pickup, and label steps before the full county rules.

HOME KITCHEN ALLOWED?

Yes

STATE SALES CAP

150000

HOME OCCUPATION PERMIT?

Conditional

ON-SITE / PORCH PICKUP?

Yes

INSPECTION

No

PETS

No explicit state restriction; good manufacturing practices apply.

BEFORE YOU SELL FROM THIS ADDRESS

- ☐ **1. Menu** — Confirm each product under Texas cottage food rules (county cannot expand a state ban).
- ☐ **2. Pickup & zoning** — Home occupation and porch pickup cells above; HOA/lease may still block customer traffic.
- ☐ **3. Local tax / license** — Business license or sales tax certificate if your city/parish requires it (common even with no state food permit).
- ☐ **4. Training** — Food handler or state registration before market day.
- ☐ **5. Labels** — Disclaimer, allergens, ingredients, net quantity, producer info.
- ☐ **6. Call if unclear** — County health and planning for your exact address.

LABEL FIELDS TO INCLUDE

- ☐ Product name · producer name · address (or allowed alternative)
- ☐ Ingredients by weight · major allergens · net weight/quantity
- ☐ Texas home-kitchen disclaimer (see live label one-pager)

CONTINUE ONLINE

Open the live county page →

Texas label one-pager →

Local notes & questions →

Planning path only — not legal advice. Rules change. Always verify with state and local offices before selling.

TEXAS: COMAL COUNTY

CROSODO INDEX #528* · FIPS 48091 · New Braunfels

Comal County

Population 165,201 · State baseline: Tex. Health & Safety §437.001 et seq. · MEDIUM

QUICK VIEW FOR BAKERS IN THIS COUNTY

HOME KITCHEN ALLOWED?

Yes (Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments prohibited from regulating cottage food operations.)

SEPARATE KITCHEN REQUIRED?

No

PETS ALLOWED?

No explicit state restriction; good manufacturing practices apply.

HOME OCCUPATION PERMIT?

Conditional (Texas state law prohibits health department regulation. Comal County unincorporated areas may require home occupation permit under county zoning. New Braunfels city has its own zoning rules. Comal County government website confirmed at comalcounty.gov.)

ON-SITE / PORCH PICKUP?

Yes

INSPECTION REQUIRED?

No (No routine inspections. Health authority may act only upon immediate and serious threat to human life.)

Home kitchen rules

HOME KITCHEN ALLOWED	Yes — Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments prohibited from regulating cottage food operations.
SEPARATE DEDICATED KITCHEN	No
PET RESTRICTIONS	No explicit state restriction; good manufacturing practices apply.
WATER SUPPLY	Potable water supply required.
HANDWASHING	Adequate handwashing per food safety practices.
FOOD STORAGE	Shelf-stable storage for non-TCS foods.

Inspection & permitting

INSPECTION REQUIRED	No — No routine inspections. Health authority may act only upon immediate and serious threat to human life.
HOME OCCUPATION PERMIT	Conditional — Texas state law prohibits health department regulation. Comal County unincorporated areas may require home occupation permit under county zoning. New Braunfels city has its own zoning rules. Comal County government website confirmed at comalcounty.gov .
LOCAL BUSINESS LICENSE	Varies

Customer-facing rules

ON-SITE CUSTOMER PICKUP	Yes
ON-SITE SIGNAGE	Conditional
DELIVERY / PICKUP RULES	Online, in-state delivery, and direct sales from home and farmers markets permitted. No interstate sales.
MAX EMPLOYEES IN HOME	No state restriction specified.

Relevant county code

Tex. Health & Safety §437.001 et seq.; Comal County zoning ordinances.

RESEARCH NOTES

Comal County government website confirmed at [comalcounty.gov](https://www.comalcounty.gov). No county-specific cottage food rules found beyond Texas state baseline. Comal County is rapidly growing (Hill Country, between San Antonio and Austin). Texas strong cottage food protections apply.

SOURCES VERIFIED AT RESEARCH TIME

<https://www.comalcounty.gov>

<https://www.dshs.texas.gov/food-establishments/cottage-food-production-operations>

<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.437.htm>

Questions about this county? Local notes and a place to leave a question: crosodo.com/nb/texas/comal-county-discuss

Bordering counties — cottage food law

Regulation	Comal County	Guadalupe County	Hays County
HOME KITCHEN ALLOWED	Yes	Yes	Yes
SEPARATE DEDICATED KITCHEN	No	No	No
PETS ALLOWED	No explicit state restriction; good manufacturing practices apply.	No explicit state restriction; good manufacturing practices apply.	Not specified in state statute
INSPECTION REQUIRED	No	No	No
ON-SITE CUSTOMER PICKUP	Yes	Yes	Yes
ON-SITE SIGNAGE	Conditional	Conditional	Conditional
DELIVERY / PICKUP	Online, in-state delivery, and direct sales from home and farmers markets permitted. No interstate sales.	Online sales, in-state delivery, and direct sales from home, farmers markets allowed. No interstate sales.	Direct and limited indirect sales; farmers markets, online, home delivery, third-party delivery platforms allowed.
HOME OCCUPATION PERMIT	Conditional	Conditional	Conditional
LOCAL BUSINESS LICENSE	Varies	Varies	Varies
RESTRICTIONS	Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments prohibited from re...	Non-TCS foods only. Annual sales cap \$150,000 (SB 541, 2025). No registration or inspection required. Health departments may not regulate c...	No license, registration, or inspection required from health department. \$150,000 annual gross sales cap (SB 541, 2025). Almost all non-TCS...
FOOD STORAGE	Shelf-stable storage for non-TCS foods.	Shelf-stable storage for permitted non-TCS foods.	Non-TCS shelf-stable foods; prohibited: meat, poultry, seafood, ice products, low-acid canned goods
POPULATION	165,201	173,828	245,351

State context — Texas cottage food law

Comal County's rules sit on top of Texas's state cottage food framework. The state law sets the floor — counties can add but cannot remove protections.

STATUTE

Tex. Health & Safety §437.001 et seq.

ANNUAL SALES CAP

150000

REGISTRATION REQUIRED

No

FOOD HANDLER CERT

No

KITCHEN INSPECTION

No

DIRECT SALES ONLY

No

INDIRECT SALES

Limited (see notes) — Sales must be made directly to consumers or to a 'cottage food vendor' (a new category created by SB 541 in 2025 – a person with a contractual relationship who sells on behalf of the cottage food operation to consumers in-state). Cottage food products may not be sold as ingredients to a food service establishment. No retail grocery store or wholesale sales permitted under the pre-2025 framework; SB 541 (2025) adds the cottage food vendor intermediary option. Products must be delivered to consumer or vendor at point of sale or consumer-designated location.

For the full state-level analysis including the verbatim statute text, see the [Texas cottage food law report](#) on Crosodo, or open the live guide: crosodo.com/states/texas.

STATE-LEVEL REFERENCES

State statute: <https://statutes.capitol.texas.gov/Docs/HS/htm/HS.437.htm>

State dept cottage food page: <https://www.dshs.texas.gov/food-establishments/cottage-food-production-operations>

Forrager.com: <https://forrager.com/law/texas/>

Questions about Comal County? Local notes and a place to leave a question are on Crosodo. We monitor new threads — start with zoning, permits, or porch pickup.

crosodo.com/nb/texas/comal-county-discuss

Classifieds

Resources for cottage food & home bakers · crosodo.com/advertise

NATIONAL

SUPPLIES

Advertise here — Supplies

Reach home bakers across the country. crosodo.com/advertise

COURSES

Advertise here — Courses

Reach home bakers across the country. crosodo.com/advertise

INSURANCE

Advertise here — Insurance

Reach home bakers across the country. crosodo.com/advertise

LOCAL

Advertise here

Reach home bakers in Comal County, Texas. Supply stores, farmers markets, kitchen rentals, and bakery services welcome.

crosodo.com/advertise

Your business here

Local cottage food listings, kitchen rentals, co-packer referrals, and community events — post yours on Crosodo.

crosodo.com/nb/texas/comal-county-discuss

Free ad space available

Let us know if you're a non-profit or community organization. Farmers markets, kitchen rentals, and cottage food events near you welcome.

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